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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,964	01/29/2004	William A. Margiloff	E03.001/U	4330

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EXAMINER

ORR, HENRY W

ART UNIT	PAPER NUMBER
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2176

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09/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/766,964	Applicant(s) MARGILOFF ET AL.	
	Examiner Henry Orr	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 13-16 and 21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 13-16 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to applicant's amendment dated 7/22/2008.
2. Claims 1-4, 13-16 and 21 are pending in the case.
3. Claims 5-12 and 17-20 are cancelled.
4. Claims 1 and 13 are independent claims.

Applicant's Response

5. In Applicant's response dated 7/22/2008, applicant has amended the following:
 - a) Specification
 - b) Claims 1-3, 13, 14 and 21

Based on Applicant's amendments and remarks, the following objections and rejections previously set forth in Office Action dated 4/22/2008 are withdrawn:

- a) Objection to Specification
- b) 35 U.S.C. 112 1st Rejection to claims 1-4, 13-16 and 21

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oren et al. (hereinafter "Oren"), U.S. Patent No. 7,222,303 B2 in view of Chen et al. (hereinafter "Chen"), U.S. Publication No. 2007/0192725 A1.

Claim 1:

Oren teaches **a method of facilitating use of a graphical user interface search bar, comprising: initially displaying to a user a web page along with a web browser search bar, the web browser search bar including:** (see abstract, col. 2 lines 14-29, Figure 10)

(i) an initial set of toolbar buttons and (see col. 2 lines 20-22, Figure 10)

(ii) a search feature user input portion usable to enter a search term to be transmitted to a remote search engine via a communication network, (see Figure 10; e.g. search box for transmitting search terms to remote search engines via Internet)

wherein the initial set of tool bar buttons is displayed to the user without displaying to the user a subsequent set of toolbar buttons in the search bar; (see col. 2 lines 20-22, Figure 10)

receiving a single indication from the user, the single indication being received via one of the initial set of toolbar buttons in the searchbar; (see col. 2 lines 3-13, lines 30-44, lines 57-67; e.g. selectable toolbar buttons).

Oren teaches replacing the initial set of toolbar buttons with the subsequent set of toolbar buttons in the searchbar such that (i) the initial and subsequent sets of toolbar

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buttons are not simultaneously displayed to the user in the searchbar (see col. 2 lines 45-56, Figures 10 and 11).

Oren fails to expressly teach responsive to receiving single indication via one of the initial set of toolbar buttons in the searchbar, replacing the initial set of toolbar buttons with the subsequent set of toolbar buttons in the searchbar such that (i) the initial and subsequent sets of toolbar buttons are not simultaneously displayed to the user in the searchbar.

However, Chen teaches a toolbar having a scroll control capable of replacing an initial set of toolbar buttons with a subsequent set of toolbar buttons via scrolling buttons on and off the toolbar (see par. 23). **(claim 1; i.e., responsive to said receiving of the single indication from the user, replacing the initial set of toolbar buttons with the subsequent set of toolbar buttons in the searchbar such that (i) the initial and subsequent sets of toolbar buttons are not simultaneously displayed to the user in the searchbar)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the searchbar as taught by Oren to include a scroll control as taught by Chen to provide the benefit of allowing a user to access toolbar buttons despite limited space on a display (see Chen; par. 2-3, par. 23).

Oren teaches **(ii) the search feature user input portion remains displayed to the user along with the subsequent set of toolbar buttons** (see Figures 10 and 11; e.g. search box).

Claim 2:

Oren teaches **displaying to the user additional sets of toolbar buttons in the searchbar in response to additional received indications** (see col. 2 lines 3-67; Figures 10 and 11).

Claim 3:

Oren in view of Chen teaches **wherein the initial set of toolbar buttons is replaced without changing the web page and further wherein each toolbar button within the initial set of toolbar buttons is related to a common class of functionality** (see Oren; col. 2 lines 20-22, lines 57-67, Figure 10) (see Chen; par. 2-3, par. 23).

Claim 4:

Oren teaches **wherein each toolbar button within the subsequent set of toolbar buttons is related to a common class of functionality** (see col. 2 lines 53-56, lines 57-67, Figure 11).

Claims 13-16:

Claims 13, 14, 15 and 16 are apparatus claims and are substantially encompassed in method claims 1, 2, 3, 4 respectively; therefore the apparatus claims are rejected under the same rationale as method claims 1, 2, 3, 4 above.

8. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oren in view of Chen as cited above, in further view of Weber, U.S. Publication No. 2004/0061720 A1.

Claim 21:

Oren teaches **wherein the instructions are further adapted to be executed by the processor to: determine a query input from the user via the search feature user input portion;** (see Figure 10; e.g. search box for transmitting search terms to remote search engines via Internet)

display a first search result to the user, the first search result being associated with the query input and further being received from a first remote search engine via the communication network; (see col. 2 lines 14-67, Figures 10 and 11; e.g. web content is interpreted as “first search result” from a first remote search engine).

receive a first additional single indication from the user, the first additional single indication being received via the a first toolbar button in the searchbar; (see col. 2 lines 3-13, lines 30-44, lines 57-67; e.g. searchbar is capable receiving indications via buttons)

Oren teaches responsive to receiving indications via search bar and corresponding pop-up window, displaying a second or third search result from a second or third search remote engine, respectively (see col. 2 lines 14-67, Figures 10 and 11 e.g. "Search Engines").

Oren in view of Chen fails to expressly teach responsive to receiving indications via first toolbar button, displaying a second or third search result from a second or third search remote engine, respectively.

However, Weber teaches a multiple search engine toggle feature within a searchbar capable of displaying a second or third search result from a second or third search remote engine, respectively (see abstract, par. 9, par. 19, Figures 1A-1D – the search result being associated with the query input e.g. Fishing in Figure 1B). **(claim 21; i.e., responsive to said receiving of the first additional indication from the user, display a second search result to the user, the second search result being associated with the query input and further being received from a second remote search engine via the communication network; receive a second additional single indication from the user, the second additional single indication being via the first toolbar button in the searchbar; and responsive to said receiving of the second additional from the user, display a third search result to the user, the third search being associated with the query input and further being received from a third remote search engine via the communication network.)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the searchbar as taught by Oren in view of Chen to include a multiple engine toggle switch feature as taught by Weber to provide the benefit of accessing multiple online categorized search engine services and search the services directly from the browser (see Weber; par. 19).

Response to Arguments

9. Applicant's arguments with respect to claims 1-4, 13-16 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

9/8/2008
HO

/Rachna S Desai/
Primary Examiner, Art Unit 2176